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AGREEMENT NO. 10051-6
MEDITERRANEAN FORCE MAJEURE AGREEMENT

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The parties to Agreement No. 10051, the Mediterranean Force Majeure Agreement, hereby amend Articles 1, ~~4, 7, and 8~~ of the Agreement as follows (deleted language overscored; new language underscored):

Article 1

Members' Rights And Obligations

Where, by virtue of ~~force majeure or other~~ causes beyond their control, i.e., force majeure, strike, mechanical breakdown, war, hostilities, risk of seizure, meteorological conditions, or acts of God, any of the signatories are unable to make a regularly scheduled port or ports of call or to load all or part of the cargo they have booked at such a port or ports, they may invoke the rights and assume the obligations in this Agreement.

Article 4

Admission To Membership

Any common carrier by water providing containerized shipping services and regularly scheduled sailings in the trade may become a party to this Agreement on equal terms and conditions. The Federal Maritime Commission shall be notified of any membership change within 30 days of such change.

Article 7

Quarterly Reports And Coordinator Obligations

On each occasion that the authority of this Agreement is invoked, the distressed carrier shall provide a report to a Coordinator to be designated by the signatories specifying the nature of the applicable operative cause under Article 1, an explanation of the circumstances which gave rise to the slot charter (including the cancelled sailing date), the date the authority was invoked, the date the cargo was loaded on the underlying vessel, the origin and destination ports involved, the number of containers in twenty foot equivalents and the identity of the distressed carrier and the underlying carrier. The Coordinator shall have the duty and the authority to insure adherence to the terms and the conditions of this Agreement. The Coordinator shall prepare a quarterly report summarizing operations under this Agreement which shall list the information specified above and which shall be distributed to all signatories and to the Federal Maritime Commission within 30 days of the close of each calendar quarter.

Article 8

Effectiveness Of This
Agreement And Amendments Thereto

This Agreement shall become effective upon approval by the Federal Maritime Commission and shall unless previously cancelled, remain in effect ~~for two years from the date of such approval~~, until December 13, 1987, provided, that the signatories may extend the duration of this Agreement for such a further period as said Commission may authorize. ~~This Agreement shall expire on December 13, 1982.~~

This Agreement may be amended upon the unanimous agreement of its signatories and such amendment may be executed by its Coordinator or Counsel for and on behalf, and at the direction of the signatories thereto. No such amendment may be implemented until it is approved by the Federal Maritime Commission pursuant to Section 15, Shipping Act, 1916.


Counsel for Agreement No. 10051

Date: January 7, 1983